

Subdivision and Zoning Division, Kane County Government Center

719 Batavia Avenue
Geneva, Illinois 60134
Office (630) 232-3492
Fax: (630) 232-3411

Received Date

APPLICATION FOR A VARIATION

DZ-2016-0002

Instructions:

KANE COUNTY DEVELOPMENT DEPARTMENT

To request a variation for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number (s): 04-01-300-011
	Street Address (or common location if no address is assigned): 45W892 Plank Road, Hampshire IL 60140

2. Applicant Information:	Name Robert Wehrle	Phone (630) 761-3366
	Address 45W892 Plank Road, Hampshire IL 60140	Fax
		Email rwehrle@me.com

3. Record Owner Info:	Name Tanya Meyers, Robert and Heike Wehrle	Phone (630) 761-3366
	Address 45W892 Plank Road, Hampshire IL 60140	Fax
		Email rwehrle@me.com

Zoning and Use Information:

Current zoning of the property: F-Farming .

Current use of the property: Residential

Reason for Request:

Variation requested (state specific measurements):

The owner of the property purchased the residence with one corner of the existing free standing garage built too close to the property line. He subsequently added an addition which has one corner too close to the property line.

Reason for request:

The owner is applying for a permit to bring the un-permitted garage addition into compliance with Kane County Ordinances

Action by Applicant on Property:

What physical characteristics would prevent the property from being used in conformity with the requirements of the Zoning Ordinance?
The structures exist.

Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain)

Apparently the prior owner built the garage with the proper offset from an existing fence that was erroneously assumed to be the property line. The subsequent addition was constructed with the same assumption.

Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain)

The original error was made by the previous property owner, and other errors followed. The current owner has engaged an architect to prepare drawings of the existing addition for permit application. The walls of the original garage and addition that are less than five feet from the property line will be rebuilt to provide a fire wall to protect the adjacent property in case of a fire.

The Kane County Zoning Ordinance requires that the Zoning Board of Appeals find that there is a practical difficulty or some particular hardship if existing regulations are applied. The Board must also consider certain factors related to the granting of a variance. As the Applicant, you should "make your case" by explaining how your request will not:

1. Impair an adequate supply of light and air to adjacent property.

The properties along this section of Plank Road, including this property and the two adjacent properties, are typically in excess of five acres and the buildings have large horizontal separations.

2. Increase the hazard from fire and other dangers to adjacent property.

Since the garage and the addition were unintentionally built too close to the property line, the current owner will make the non-conforming walls of the structures to be fire rated walls in compliance with the building code

3. Diminish the value of adjacent land and buildings.

The properties in this area have large lots and typically have multiple improvements and outbuildings which make the area attractive to buyers with means to own recreational vehicles of all sorts and need buildings such as the addition to properly store the vehicles out of sight and out of the weather.

4. Increase congestion or create traffic hazards.

No increase in vehicle trips will be added to Plank Road by this garage. Owners use Recreational Vehicles reduce the number of trips by being away from the residence for extended periods of time.

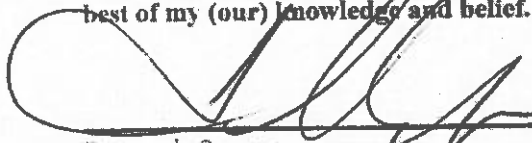
5. Impair the public health, safety, comfort, morals and general welfare.

A garage addition cannot effect the above community values.

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Certification of Notification of adjacent property owners
- Aerial (air photo) with property clearly highlighted
- No Trust Disclosure required
- Application fee (make check payable to Kane County Development Department)
- Site Plan drawn to scale showing house, well and septic.

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.


Record Owner TANYA WEHRLE MEYERS Date 2/15/2016


Applicant or Authorized Agent _____ Date _____
Frederick Gilmore, Architect 2/5/2013



PLAT OF SURVEY

By
JOHN D. REBK & ASSOCIATES
Land and Construction Surveys
33 W 30th Miller Road
Dundee, Illinois 60118 (547) 428-3456



AREAS:

GROSS LAND AREA: 118,621.57 SQ. FT. or 2.7232 AC.
AREA IN ROAD (I.O.W.): 7,000.06 SQ. FT. or 0.1607 AC.
AREA NET OF ROAD: 111,621.51 SQ. FT. or 2.5625 AC.

IMPERVIOUS AREAS, AS FOLLOWS:

- BITUMINOUS ASPHALT @ ENTRANCE: 197.70 SQ. FT.
- BRICK EDGING ALONG WEST SIDE OF DRIVEWAY: 77.31 SQ. FT.
- BRICK EDGING ALONG EAST SIDE OF DRIVEWAY: 72.77 SQ. FT.
- 4 BRICK COLUMNS @ ENTRANCE: 28.04 SQ. FT.
- CONCRETE DRIVEWAY: 6,185.61 SQ. FT.
- GRAVEL DRIVE AREA: 8,441.00 SQ. FT.
- CONCRETE PATIO INCLUDING FLAGSTONE STOOP: 711.35 SQ. FT.
- FRAME GARAGE: 1,731.47 SQ. FT.
- WOOD DECK NORTH OF GARAGE: 971.41 SQ. FT.
- SMALL WOOD DECK NORTH OF THE ABOVE: 319.33 SQ. FT.
- FRAME KORNEL: 871.62 SQ. FT.
- CONCRETE BLOCKS AREA WEST OF KORNEL: 537.49 SQ. FT.
- CONCRETE BLOCKS AREA BETWEEN HOUSE & KORNEL: 1,015.01 SQ. FT.
- CONCRETE BLOCKS AREA @ EAST SIDE OF KORNEL: 514.32 SQ. FT.
- CONCRETE BLOCKS, STEPS & WOOD STOOP @ M.W.H. HOUSE: 291.74 SQ. FT.
- BOTH WOOD STEPS FROM DECK TO CONCRETE BLOCKS AREA: 44.91'
- WOOD DECK & BRICK WALK LYING SOUTH OF GARAGE: 484.27'
- POOL PATIO AREA: 1,079.62 SQ. FT.
- BRICK WALK LYING WEST OF THE POOL PATIO AREA: 254.04 SQ. FT.

Scale: 1 inch equals 20 feet.
Distances are marked in feet and decimal parts thereof.

Ordered by: **ROBERT WEHLE**

Checked by: **J.D.S.** Surveyed by: **J.P.C.**

Surveyor has made no investigation or independent search for encumbrances, restrictive covenants, ownership title evidence or any other facts which an accurate and correct title search may disclose, unless the title commitment number and effective date are shown hereon.

Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat. County local authorities for building lines established by local ordinances.

Please check legal description with Deed; also compare all points before building and report ANY DISCREPANCY IMMEDIATELY.

ORDER NO. **15-4152 SHEET 1 OF 2**

STATE OF ILLINOIS
COUNTY OF KANE 3 S. September 7, 2015.

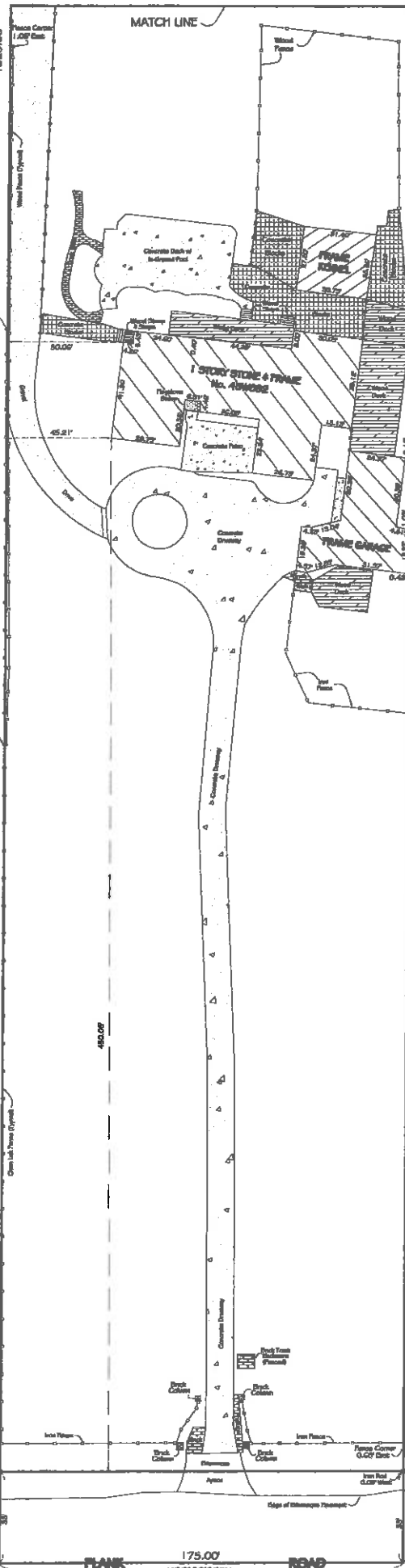
This Professional Services conforms to the current Illinois Minimum Standards of Practice applicable to Boundary Surveys.

The location and/or existence of utility service lines to the property surveyed are not shown.

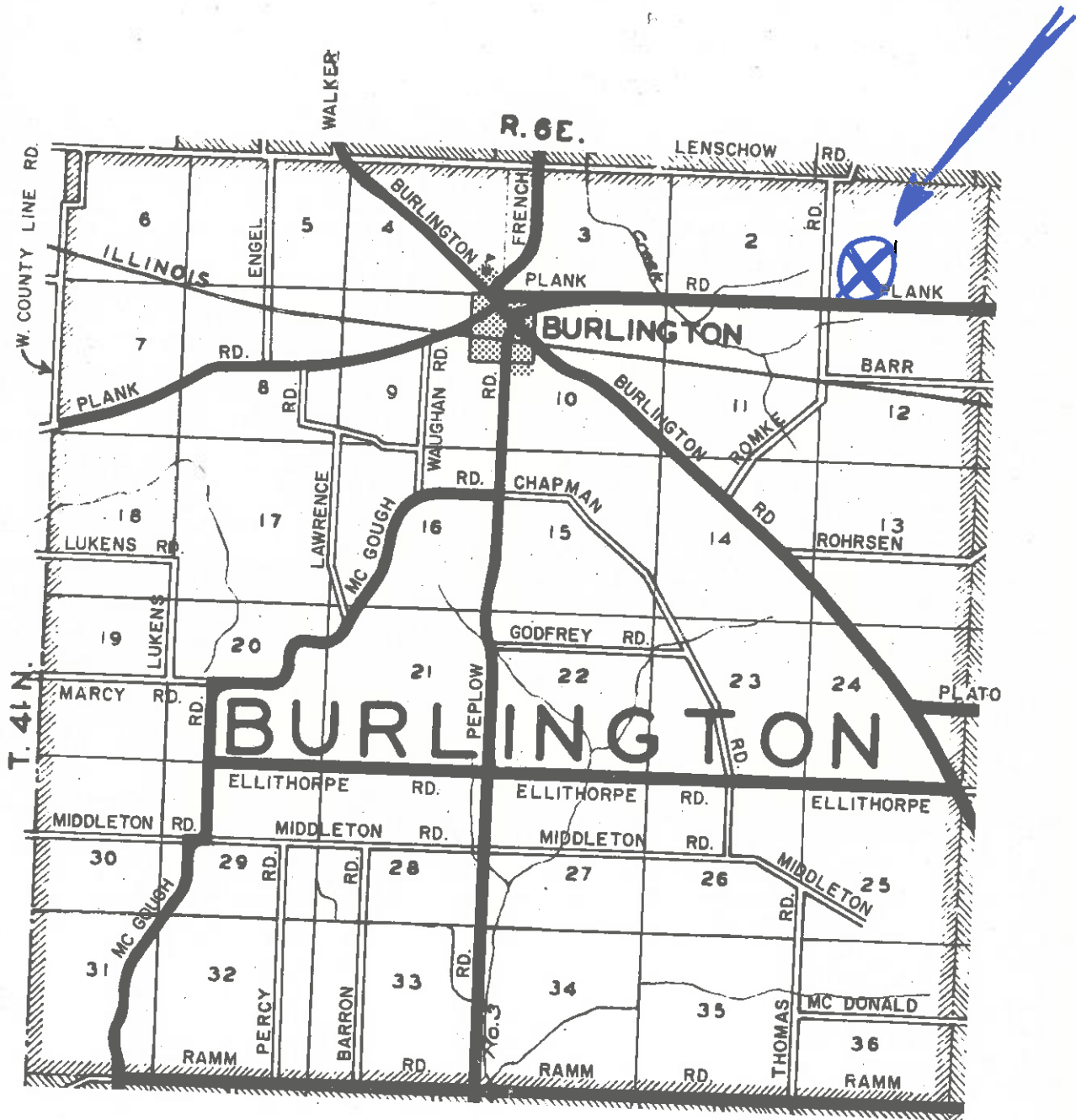
This is to certify that I have surveyed the above described property according to the Official Record, and the above plat correctly represents said survey.

by **ARZUAL**

Illinois Professional Land Surveyor No. 2429
(License Expires November 30, 2016)



PLANK 175.00' ROAD
N50°00'00\"/>



CERTIFICATION OF NOTIFICATION
OF ADJACENT PROPERTY OWNERS

Date: February 5, 2016

To: KANE COUNTY ZONING BOARD OF APPEALS

From: Robert Wehrle
45W892 Plank Road
Hampshire IL 60140

(Ph #) 630 761 3366

The undersigned, being sworn upon this oath, deposes and says that the list below includes the names and addresses of all owners of property adjacent to property referred to in petition for

(circle one) **(Variance)** ~~Rezoning~~—~~Special Use~~
for the purpose of
bringing the existing garage and addition into legal non-conforming use status

and, further, that all persons owning property which is adjacent to parcel referred to in petition have been notified of the intent of the petitioner(s).

Petitioner's property is located in Section 1, Township 41 North, County of Kane.

(Legal Description Attached) : The West 175.0 feet of the East 1475.0 feet of the following described property: the Southwest ¼ of the Southwest ¼ and the West ½ of the Southeast ¼ of the Southwest ¼ of Section 1, Township 41 North, Range 6, East of the Third Principal Meridian, in the Township of Burlington, Kane county, Illinois.

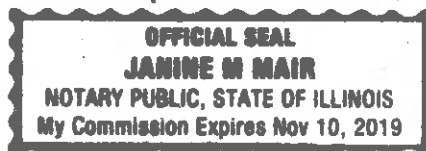
List names of property owners below. (Property Owners do not have to sign this form)

NAME	ADDRESS (street, city, state and zip code)
<u>Jim Goff</u>	<u>15N009 Shirewood Road, Hampshire IL 60140</u>
<u>Kenneth and Ramona Volkening</u>	<u>45W930 Plank Road, Hampshire IL 60140</u>
<u>Maree Talford</u>	<u>454W897 Plank Road, Hampshire IL 60140</u>
<u>Jeff Dean</u>	<u>45W890 Plank Road, Hampshire IL 60140</u>
_____	_____
_____	_____

By: _____
(Property Owner or Agent) *AGENT*

Subscribed and sworn to before me

this 10th day of February, 20 16
Janine M. Mair
Notary



* We recommend that the petitioner duplicate this form and use it as notification to the adjacent property owners



Engineering Enterprises, Inc.

March 17, 2016

Ms. Brooke Biewer
Building and Zoning Division
Development & Community Services Department
Kane County Government Center
719 Batavia Avenue
Geneva, IL 60134

Subject: *Petition for Variation, Robert Wehrle, et al. Property, 45W892 Plank Road, Burlington Township, Kane County, Illinois. PIN 04-01-300-011*

Via: e-mail to biewerbrooke@countyofkane.org

Dear Brooke:

The Village of Burlington is in receipt of your letter dated February 17, 2015 regarding a zoning variation petition filed for the subject property and seeking comments thereon.

The subject property is located on the north side of Plank Road, 0.10 mile easterly of Romke Road, 0.85 miles easterly of the Village's corporate limits and is within the Village's 1-1/2 mile planning jurisdiction.

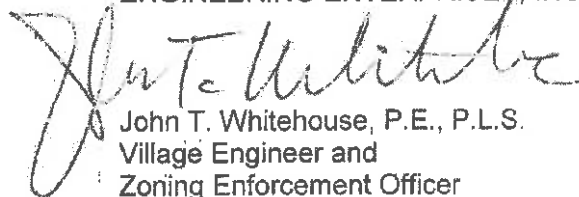
The subject petition has been reviewed and this matter has been discussed with the Board of Trustees.

The Village of Burlington respectfully offers no comments and no objections to the granting of the requested variation.

If you have any questions or require additional information, please contact me at your convenience at 630-466-6717.

Respectfully submitted,

ENGINEERING ENTERPRISES, INC.



John T. Whitehouse, P.E., P.L.S.
Village Engineer and
Zoning Enforcement Officer

pc: Bob Walsh, Village President
Kimberly Tatu, Village Clerk
Steve Andersson, Village Attorney

Jeffrey J. Dean
45w860 Plank Rd.
Hampshire, IL 60140
847-683-7256 (home)
847-269-0815 (cell)
Jan 31, 2016

To: Kane County Development Department

RE: Zoning Variance for 49w822 Plank Road

It has been brought to my attention that Bob and Heike Wehrle are seeking a zoning variance for their property at 49w822 Plank Road, so that a non-conforming garage can be legal. For the record, I have no objection to this zoning variance.

Sincerely,



Jeffrey J. Dean

